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OFFICE OF PETITIONS

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN 2041 AU AUSTRALIA

In re Application of :
Silverbrook : DECISION ON PETITION
Application No. 10/753,421 :
Filed: January 9, 2004 :
Docket No.: DAM12US :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed February 12, 2007.

The petition is hereby DISMISSED.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.181." This is not a final agency decision.

This application became abandoned August 9, 2006 for failure to timely submit a proper reply to the final Office action mailed May 8, 2006. Notice of Abandonment was mailed December 20, 2006.

Petitioner asserts that a response to the final Office action was timely submitted on July 5, 2006 and has provided as proof of mailing a copy of the reply.

A review of the application file does not reveal receipt of an RCE. A check in the amount of \$790.00 was received July 10, 2006, however, no actual RCE was entered in the record as having been received.

Correspondence is considered as being timely filed if: (i) The correspondence is mailed or transmitted prior to expiration of the set period of time by being: (A) Addressed as set out in § 1.1(a) and deposited with the U.S. Postal Service with sufficient postage as first class mail; or (B) Transmitted by facsimile to the Patent and Trademark Office in accordance with § 1.6(d); and (ii) The correspondence includes a certificate for each piece of correspondence stating the date of deposit or transmission. The person signing the certificate should have reasonable basis to expect that the correspondence would be

mailed or transmitted on or before the date indicated. The date of receipt is used for all other purposes. See, 37 CFR 1.8(a).

The copy of the reply submitted herewith lacks a certificate of mailing in accordance with 37 CFR 1.8. Accordingly, it cannot be found that the RCE was timely submitted.

ALTERNATE VENUE

Petitioners may wish to consider filing a petition stating that the delay in timely submitting a properly reply to the Notice was unintentional or unavoidable pursuant to 37 CFR 1.137(b) and (a) respectively. See MPEP 711.03(c).

Further correspondence with respect to this matter should be addressed as follows:

By mail:

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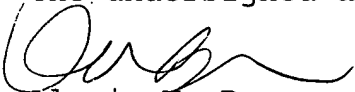
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Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



Alesia M. Brown
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Office of Petitions